



Housing Plan Implementation Committee

Date: October 30, 2020

Time: 8:00 AM to 9:00 AM

Location: Virtual Meeting via Zoom

Minutes

Present: Ben Bradlow, Pam Hallett, Karen Kelleher, Jonathan Nyberg, Jenny Raitt, Patricia Worden, Erin Zwirko.

Guests: Len Diggins.

The Committee debriefed the Finance Committee meeting that was held on October 28. Jenny attended the meeting, and the Finance Committee ultimately unanimously voted to support the housing trust article (Article 8). Erin noted that the Finance Committee inserted some language in the draft bylaw based on their discussion. Jenny provided an overview of the conversation from that evening. Pam Hallett was also in attendance and provided her observations.

Jenny noted that the Finance Committee voted to support the Article, but also acknowledged that if the Select Board did not support the article, the Finance Committee would withdraw their support. Jenny also noted that the Finance Committee acknowledged that depending on the activities of the trust, there may be financial implications that the Finance Committee would weigh in on in the future, but at this moment there are no financial implications.

Jenny then provided an overview of the additions to the bylaw. The Finance Committee wanted representation from local housing agencies such as the housing authority and the housing corporation, but left the language neutral. Jenny and Pam discussed that the Finance Committee expressed some concern about conflict of interest, if either of those organizations pursued funding from the trust. This will likely be further discussed during the Select Board meeting. Jenny went on to note that the Finance Committee was concerned with protecting the Town's interest, and wanted to ensure that the trust's funds were being used properly. The Finance Committee included an addition to use trust funds to offset non-incidental expenses, such as staff time, as determined by the Town Manager. Erin noted that language regarding borrowing was consolidated in one section for usability. There was an addition of the Comptroller issuing quarterly reports about trust property and assets. The last item added was that Select Board will appoint the independent auditor.

Jenny indicated that Town Counsel will clean up the article and motion and provide to the Select Board for their meeting on November 4. That version will be provided to the Committee.

Ben asked for clarification on the Finance Committee's support. Jenny noted that the Finance Committee supports the Article, but this is the Select Board's Article. Jenny noted that the order in which these committees took up the articles was reversed, and typically the Select Board would have considered the article first. The Select Board will likely accept the Finance Committee's revisions, but if the Select Board voted to not support the Article, the Finance Committee's support would be a moot point.

Karen noted that the addition of a date in the future puts some pressure on the trust to get to self-sufficiency in about two years. She expressed some concern about that date appearing like a deadline. Jenny indicated that the reasoning behind the addition regarding non-incidental expresses is due to the fact that the staff typically accesses salary offsets to represent the time staff spent on applicable activities. Jenny also noted that the Finance Committee expressed some support of a real estate transfer fee and that would be a good way to support the trust. Jenny also noted that there should be coordination of funds, such as the putting a portion of CPA funds into the trust. It is not an anomaly to support staff through these types of funds. The date may need to be discussed more.

Erin noted that Len was in attendance and asked if he had any thoughts about the Article from his point of view as a Select Board member. Len has not discussed the Article with his colleagues, but he thinks that there is support from the Select Board.

Karen asked how to request additional running room to get to self-sufficiency or to address the date. Jenny indicated that she will share the information with the Select Board, and she can amend her memo to the Select Board. Jenny noted that the addition is for non-incidental expenses and at the discretion of the Town Manager, so it is not full self-sufficiency of the trust. The addition is about staff time. Some of the activities that the trust could take on could take up a significant portion of staff time, above and beyond the typical administrative activities, and could be reasonably supported by the trust. After hearing from Jenny, Karen did not have any further concerns.

Turning to the memo to the Select Board, the Committee did not see any necessary additions. Jenny indicated that the memo refers to the supportive vote on October 20th, so there may be a need to update that support after seeing the Finance Committee additions. Pam made a motion to accept and support Article 8 as amended by the Finance Committee and to authorize the Department to submit the memo to the Select Board. Jonathan seconded the motion. Jonathan, Ben, Karen, and Pam voted yes. Patricia voted yes provided that no funds support Chapter 40B projects.

Ben asked about the note that was included in the memo that went to the Finance Committee. Erin indicated that the footnote was reflective of Patricia's condition. Ben indicated that it is not meaningful, and not what was voted. It was not the view of the

committee, and the vote should be 5-1. Patricia thought that some Town Meeting Members may not support the trust if they thought that funds could support Chapter 40B projects. Karen noted that Patricia's view is clear and stands in the meeting minutes. Karen does not want it to be reflective of the whole Committee's point of view as Patricia made that motion and it was not seconded by the Committee. Ben requested removal of the footnote. Patricia repeated that the Town's policy is not to support 40B. Pam disagreed that that is the policy of the Town.

Karen moved to eliminate the footnote from the memo. Jonathan seconded. Before the vote, Jenny indicated the same memo has gone to the Finance Committee and there has been feedback on how the trust fund should and should not be used, including among the Committee members. She agrees that the vote was not about uses, only to support the trust fund. Jenny indicated that it might be important to indicate that there are a lot of opinions about how the trust fund monies will be used. Jenny indicated that there could be a discussion elsewhere in the memo, but the statement on 40B has already been made.

The Committee continued to discuss how to handle indicating there have been discussions on the possible uses. Ben offered including a statement about there was a debate with differing opinions about financial support to 40B projects, but everyone supported the establishment of the trust. Patricia did not think that statement would be accurate since it was only one member. After discussing options on how to amend the memo, some members believed that the clarification in the text confused the matter more, that Patricia's condition may not have been appropriate, and the memo should just indicate that all members supported the bylaw. Patricia liked the way the footnote was written and she does not want to have to make an amendment at Town Meeting and endangered support. She indicated that there is sufficient opposition to 40B among Town Meeting Members and if Chapter 40B projects could be funded, it would discourage those members' votes. Ben stated that Chapter 40B is a red herring, and having a member invoke this repeatedly with such strong language and insistence, it feels like sabotage to him. Patricia stated that Town Meeting is the major avenue for gain good governance standing and to allow the people to decide the future course, and to claim that someone making honest statements at Town Meeting is sabotaging is going against the democratic process.

Turning back to the motion that was made and seconded regarding removing the footnote, Pam, Karen, Ben, and Jonathan voted to remove the footnote. Patricia voted against removing the footnote. Jenny indicated that she will strike the footnote.

Being 9 AM, Erin and Jenny recommended deferring the minutes and discussing any outreach to the next meeting. The Committee will meet during their regular meeting day and time on November 5 at 6:30 PM.

The meeting adjourned at 9:00 AM.